

A RESOLUTION

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BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY AS SUBROGEE OF MEISHA M. LUKERSON V. CITY OF ATLANTA, SUPERIOR COURT, FULTON COUNTY, CIVIL ACTION FILE NO. 2007CV137489, IN THE AMOUNT OF \$2,750.00; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), ACCOUNT 5212005 (LITIGATION EXPENSE) CENTER NUMBER 200101 (NON-DEPARTMENTAL); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS *State Farm Mutual Automobile Insurance Company as Subrogee of Meisha M. Lukerson v. City of Atlanta* is a case in which the Plaintiff sued for monetary reimbursement of monies paid to its insured for property damage allegedly incurred as a result of an automobile accident involving employees of the City of Atlanta;

WHEREAS, Plaintiff State Farm Mutual Automobile Insurance Company alleges that its insured suffered property damage as a result of the automobile accident involving City of Atlanta employees;

WHEREAS, Plaintiff has agreed to accept \$2,750.00, in full settlement of all claims against the City of Atlanta including interest and attorney's fees; and

WHEREAS, the City Attorney has done extensive review of the facts and the law and has determined that the City's potential financial exposure in defending Plaintiff's claims is in excess of the settlement amount; and

WHEREAS, the City Attorney considers it to be in the best interest of the City to pay the amount of \$2,750.00 to settle all claims against the City of Atlanta.

**THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA** hereby resolves as follows:

SECTION 1. The City Attorney is hereby authorized to settle and execute all documents in the case of *State Farm Mutual Automobile Insurance Company as Subrogee of Meisha M. Lukerson v. City of Atlanta* in the amount of Two Thousand Seven Hundred and Fifty Dollars (\$2,750.00).

SECTION 2. Said payment is to be charged to and paid from Fund 1001 (General Fund), Account 5212005 (Litigation Expense) and Center Number 200101 (Non-departmental). Payment shall be in the form of a check in the amount of \$2,750.00 payable to Boutwell & Associates and State Farm Mutual Automobile Insurance Company a/s/o of Meisha M. Lukerson. Such payment shall be in full consideration of the dismissal of all claims against the City of Atlanta and its current and former officers and employees.